UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,079	07/06/2001	Kirstan Anderson Vandersluis	XAW-0102	5848

7590   09/01/2004

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EXAMINER
NGUYEN, CINDY

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td></tr>
<tr><td>09/900,079</td><td>VANDERSLUIS, KIRSTAN ANDERSON</td></tr>
<tr><td></td><td>Examiner</td><td>Art Unit</td></tr>
<tr><td></td><td>Cindy Nguyen</td><td>2171</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _19 July 2004_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11,13-15 and 17-29_ is/are rejected.

7)☒ Claim(s) _12 and 16_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _04 September 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

This is in response to communication filed 07/19/04.

1.   *Response to Arguments (07/19/04).*

Applicant's arguments have been considered and found persuasive. Hence, the finality of

the last office action, mailed 05/24/04, is hereby withdrawn. However, upon reconsideration and

a search update, the examiner reaches conclusions discussed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with

the enablement requirement. The claim(s) contains subject matter which was not described in

the specification in such a way as to enable one skilled in the art to which it pertains, or with

which it is most nearly connected, to make and/or use the invention.

Regarding claim 1, the claim language recites that the dynamic generation module is

"contained in the template." This claimed provision is questionable because templates are

traditionally the final format displayed by a graphic user interface. As such , it is unclear how

such a template, which is merely the display format can contain a "module". This disclosure

fails to provide an enabling description that would enable one to make or use the claimed

invention

Regarding claims 2-12, these claims depend from claim 1 and are therefore reject able.

2.   *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set

forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosesd or described as set forth in section 102
> of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
> to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-11, 13-15, 17-23 and 25-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Blinn et al. (U.S 5897622) (Blinn) in view of Alexandria (U.S 6732331).

Regarding claim 1, Blinn discloses: A system for converting data in a first hierarchical

data scheme into a second hierarchical data scheme, comprising (fig. 2, Blinn):

a dynamic data generation module contained in the template (125, fig. 2 and col. 7, lines

5-67, Blinn); and

a data source (121, fig. 2 and corresponding text, Blinn), in communication with the

dynamic data generation module (125, fig. 2 and corresponding text, Blinn), containing data in

the first hierarchical data scheme (col. 14, lines 15-61, Blinn).

However, Blinn didn't disclose: a template defining the second hierarchical data scheme,

wherein a hierarchical data schema is a scheme that groups data and its context. On the other

hand, Alexander discloses: a template defining the second hierarchical data scheme (template

44), wherein a hierarchical data schema is a scheme that groups data and its context (col. 6, lines

55 to col. 7, lines 15, Alexander). Thus, at the time invention was made, it would have been

obvious to a person of ordinary skill in the art to include a template defining the second

hierarchical data scheme, wherein a hierarchical data schema is a scheme that groups data and

its context in the system of Blinn as taught by Alexander. The motivation being to enable the

system to define the relationship between the base template and the meta database template and

the documents (25, fig. 1 and col. 6, lines 55 to col. 7, lines 15, Alexander). The resultant

combination system would have called for modifying Blinn by using XML documents in

database 127 (fig. 2) as well as XML templates in module 126, as suggested by Alexander.

Regarding claim 2, all the limitations of this claim have been noted in the rejection of

claim 1. In addition, Blinn/Alexander discloses: wherein the template and the dynamic data

generation module are contained in a server (120, fig. 2 and corresponding text, Blinn).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of

claim 2. In addition, Blinn/Alexander discloses: further including a driver connected between

the dynamic data generation module and the data source (107, 109, fig. 1 and corresponding text,

Blinn).

Regarding claim 4, all the limitations of this claim have been noted in the rejection of

claim 3. In addition, Blinn/Alexander discloses: further including a developer module contained

in the server for creating the dynamic data generation module (18, fig. 2 and corresponding text,

Alexander).

Regarding claim 5, all the limitations of this claim have been noted in the rejection of

claim 1. In addition, Blinn/Alexander discloses: wherein the template is a static extensible

markup language document (col. 10, lines 65 to col. 11, lines 15, Alexander).

Regarding claim 6, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Blinn/Alexander discloses: wherein the template is an extensible markup language document type definition (col. 10, table 2, Alexander).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Blinn/Alexander discloses: wherein the template is an extensible markup language schema (col. 11, lines 5-15, Alexander).

Regarding claims 8 and 9, all the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Blinn/Alexander discloses: wherein the first and the second hierarchical data scheme are selected from the group of: extensible markup language schemes, relational databases, non-relational databases, extensible markup language databases and self-describing databases (col. 6, lines 23 to col. 7, lines 15, Alexander).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Blinn/Alexander discloses: wherein the dynamic data generation module includes a query directed to the data source (col. 10, lines 6-42, Blinn).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Blinn/Alexander discloses: wherein the dynamic data generation module includes a data mapping between the first hierarchical data scheme and the second hierarchical data scheme (fig. 4 and corresponding text, Blinn).

Regarding claim 13, most of the limitations of this claim have been noted in the rejection of claim 1. In addition, Blinn/Alexander discloses: a) publishing a dynamic template in a server (col. 9, lines 14-54, Blinn);

b) receiving an instruction from a client at the dynamic template (col. 9, lines 55 to col. 10, lines 42, Blinn);

c) executing the dynamic template (col. 9, lines 55-66, Blinn); and

d) when a dynamic data generation module is executed, performing a data transfer operation that converts data in the first hierarchical data scheme into the second hierarchical data scheme (25, fig. 1 and col. 6, lines 55 to col. 7, lines 15, Alexander).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13. In addition, Blinn/Alexander discloses: wherein step (a) further includes the steps of:

a1) receiving a template (col. 9, lines 14-54, Blinn);

a2) determining for each element of the template if dynamically generated data is required (col. 10, lines 6-42, Blinn);

a3) when the dynamically generated data is required, receiving a data source for obtaining the dynamically generated data (col. 11, lines 35-55, Blinn).

Regarding claim 15, all the limitations of this claim have been noted in the rejection of claim 13. In addition, Blinn/Alexander discloses: further including the steps of:

a4) receiving a data mapping between the first hierarchical data scheme and the second hierarchical data scheme (fig. 4 and corresponding text, Blinn).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claim 15. In addition, Blinn/Alexander discloses: further including the step of" a5) receiving a key associated with the data mapping (col. 12, lines 8-34, Blinn).

Regarding claims 18 and 26, all the limitations of these claims have been noted in the rejection of claims 14 and 15 above. In addition, Blinn/Alexander discloses: repeating steps (b)

through (d) for every element of the static extensible markup language template to form a dynamic data conversion program (25, fig. 1 and col. 6, lines 55 to col. 7, lines 15, Alexander).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 18 above. In addition, Blinn/Alexander discloses: wherein step (a) further includes the step of receiving a template selected from the group including: an extensible markup language document type definition and an extensible markup language schema (col. 6, lines 57 to col. 7, lines 15, Alexander).

Regarding claims 20 and 27, all the limitations of these claims have been noted in the rejection of claims 14 and 15 above, respectively. In addition, Blinn/Alexander discloses: wherein step (a) further includes the step of:

a1) defining an input parameter (col. 7, lines 53-62, Blinn).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Blinn/Alexander discloses: wherein step (c) further includes the step of:

c 1) receiving a driver (col. 8, lines 1-16, Blinn).

Regarding claim 22, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Blinn/Alexander discloses: wherein step (c) further includes the step of:

c 1) generating a query to the data source (col. 8, lines 1-52, Blinn).

Regarding claim 23, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Blinn discloses: wherein step (d) further includes the step of:

d1) receiving a screen having a list of elements from the data source and a list of metatags from the static extensible markup language template (col. 8, lines 53 to col. 9, lines 54, Blinn).

Regarding claim 25, all the limitations of this claim have been noted in the rejection of claim 18. In addition, Blinn discloses: further including the steps of:

e) publishing the dynamic data conversion program to a server (col. 8, lines 53 to col. 9, lines 54, Blinn);

f) when a query is received at the server for the dynamic data conversion program, executing the dynamic data conversion program to form an extensible markup language document (col. 11, lines 35-56, Blinn).

Regarding claim 28, all the limitations of this claim have been noted in the rejection of claim 26 above. In addition, Blinn/Alexander discloses: wherein step (d) further includes the steps of:

d2) generating a query (col. 10, lines 18-42, Blinn);

dl) receiving a query type (col. 10, lines 18-42, Blinn).

Regarding claim 29, all the limitations of this claim have been noted in the rejection of claim 28. In addition, Blinn/Alexander discloses: wherein step (dl) further includes receiving an insert query type (col. 9, lines 14-32, Blinn).

**4.	Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn et al. (U.S 5897622) (Blinn) in view of Alexandria (U.S 6732331) and further in view of Povilus (U.S 5740425).**

Regarding claim 24, all the limitations of this claim have been noted in the rejection of claim 18 above. However, Blinn/Alexander didn't disclose: wherein step (c) further includes the step of: displaying an incomplete version of a dynamic extensible markup language template wherein a static element is shown in a first color and a dynamic element is shown in a second

color. On the other hand, Povilus discloses: wherein step (c) further includes the step of:

displaying an incomplete version of a dynamic extensible markup language template wherein a

static element is shown in a first color and a dynamic element is shown in a second color (col.

32, lines 45-67, Povilus). Thus, at the time invention was made, it would have been obvious to a

person of ordinary skill in the art to include the steps for displaying an incomplete version of a

dynamic extensible markup language template wherein a static element is shown in a first color

and a dynamic element is shown in a second color in the system of Blinn as taught by Povious.

The motivation being to enable the users clearly see the different elements in the templates and

easily for mapping information when converting the information between templates, so it can be

easily shared between data sources (col. 32, lines 42-67, Povilus).

Allowable Subject Matter

Claims 12 and 16 are would be allowable if rewritten to overcome the rejection(s) under

35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the

limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record and that encountered while searching for the claimed invention fails to

anticipate and/or suggest: a system and method for converting data in a first hierarchical data

schema into a second hierarchical data schema comprising: wherein the developer module

contains a wizard that walks a user through a process of creating the dynamic data generation

module as recited in claim 12.

The prior art of record and that encountered while searching for the claimed invention

fails to anticipate and/or suggest: a system and method for converting data in a first hierarchical

data schema into a second hierarchical data schema comprising: creating a second data mapping

between the intermediate extensible markup scheme and the second hierarchical

data scheme as recited in claim 16.

5.   Contact Information

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can

normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet

Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen
August 27, 2004

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